

Editorial

Thursday, January 31, 2019

Come out and join the people, brothers and sisters of state BJP

It will not be wrong to guess that even many of the state BJP members would certainly like to oppose the contentious Citizenship Amendment Bill, 2016. But it stands true that even though they want to oppose it, due to fear of losing their position in the party as well as their connection with their master at the center none of the member oppose it. Some who wanted to show their loyalty to their master supports the bill by interpreting it with frame up argument thinking that people will believe in what they say.

The perception of some members of the state BJP would definitely not like the CAB came as even the Chief Minister of Manipur N. Biren Singh even though wanted to talk against it seems to be not free enough to talk about it or to compliant against it to his master at the center. What he could talk to the public was "will give pressure to the central BJP leader to insert a clause to the Bill giving assurance that the NE states particularly Manipur will be exempted from the purview of the Bill". Knowing the fact that the contentious CAB Bill had already passed in the lower house of the parliament, one wonder on why the Chief Minister tried to fool the people, as it is known that addition of clauses to the Bill should be done before it was passed in the lower house. Besides, it is everybody's understandings that - it does not matter whether an illegal migrant is not granted citizenship in the state Manipur as per the clause (if suppose), he will be still the citizen of the country and there is no law (as of now) to stop any citizen of the country to enter in this part of the country call Manipur. Chief Minister N. Biren Singh, the one time champion of Manipur peoples' right, would have certainly knew the impact, but it seem like the thrust for power compelled him to plan policy to divert the peoples' movement by saying things which are illogical.

Most faces seen in the state BJP are one time activist who always voice and stand up for the cause of the people against any regime. What makes these people silence is a matter which surprises the people.

Almost all people (except some few) oppose the Bill, the entire North East state is burning and if the contentious Bill is passed using any means then the entire NE states will be on flame. Brothers and sisters of state BJP should now come out of the womb and joint the peoples' movement against the bill as there is a possibility that the anger of the people may pour on you.

A R Seizes huge Quantity of contraband Drugs Worth 1.92 crore

IT News
Imphal Jan,31

In yet another major haul, Tengenpoual Battalion of 26 Sector Assam Rifles under the aegis of IGAR (South) apprehended one narcotics smuggler with 64,000 numbers of WIY tablets approximately worth Rs 1.92 crore from Permanent Check Post (PVC) Khudengthabi. On 30 January 2019 at around 0700 hours while carrying out thorough checking of vehicle as per the routine procedure, a team of troops of Khudengthabi Post of Tengenpoual Battalion stopped a Silver Colour Hyundai Santro Xing bearing Regd No MN 04 A 2733 travelling from

Moreh to Churachandpur for checking. On carrying out a thorough checking of the vehicle, blue colour packets containing tablets suspected to be WIY 64,000 were found hidden inside a fabricated compartment below the rear seat and in the chassis folding of both sides of the vehicle. The driver of the vehicle identified himself as Mr Lunkhomang Haokip, age 31 years, son of Mr late Janglam Haokip, resident of Tuibong of Churachandpur district. The apprehended individual has been handed over to Narcotic Central Bureau, Imphal. worth approximately 14 crores in six different incidents of illegal smuggling wherein a total of six drug peddlers were caught.

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WHY MEITEIS SHOULD NOT BE SCHEDULED AS TRIBE

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Before the advent of the modern nation-state, it is known that the present geo-political entity Manipur was functionally based on material conditions centered around the fertile valley and the time to time covenants and treaties made with the Meitei Monarch and the various nationalities settled in the hills, and sometimes of dominance and subjugation making some of the nationalities to pay tribute to the Meitei monarch. And with the overpower of the entity by the British, the whole polity was restructured (the administrative division of Hills and Plains is attributed to the colonial intervention by many intellectuals) and became more exploitative to the population by introducing new 'economics'. Subsequently, Manipur was overtaken by India with no radical and accommodative structural changes in the polity of the state.

Indeed, it is very saddening to witness a once sovereign Manipur, having been annexed by India begin to resemble the opening of a Pandora box where myriads of issues and conflicts of all kinds has emerged both vertically and horizontally. The horizontal conflict need not be necessarily and solely be attributed to the act of annexation

by India but the annexation has cut short the organic process of a democratic nation-state formation which is supposed to be inhabited by numerous nationalities. We have been besieged by a concrete political framework which only yield majoritarianism and nothing else, a quasi-federation (as some Indian intellectuals defines) which operates on population logic; thus establishing a power matrix where Meiteis became the 'dominant' politically with the maximum seats in the state assembly. Even though the highlands have been scheduled as tribal areas, the autonomy given to them has been minimal. Hence the expressions and aspirations of the highlanders became marginal. This very same matrix applies to the Meiteis in relation to the mainland Indians if we look at the larger polity of Indian Union, Meitei which is a 'dominant' community in Manipur is a microscopic nationality situated politically within the Indian Union. Thus this power matrix is systematically filtered down to the village level polity creating a string of hegemonic and heretical political expressions and practices. Apart from political dominance, the Meiteis has been the 'mainstream' and has the sense of 'superiority' socially. With the advent of

Hinduism, and the practice of casteism, othering of the highlanders has been rampant and continues till today (the terminology 'hao' finds its place derogatorily in the lexicon of the Meitei society till today both openly and insidiously). So with these socio-political processes, Meiteis became the dominating group in Manipur socially, politically and thus has been one of the major factors of hill-valley conflict which ails Manipur. This power matrix has been operational in the day to day lived experiences of the citizens of Manipur, in polity, economy and social interactions which have yielded an unequal valley centric socio-economic development. Today the fertile valley of Manipur, home to the Meiteis, has been under a tremendous demographic changes wherein Meiteis faces the 'existential' crisis. A fear-psychosis has been shared among the populace that Meiteis will become minority in their own land as there is no regulatory mechanism to regulate the unabated migration from other parts of India. Thus to defend the population, there has been popular movements to monitor and regulate the demographic changes and land tenures. The recent move to

introduce Inner Line Permit System (ILPS) initiated in the valley spearheaded by Joint Committee on Inner Line Permit System (JCILPS) is one such assertions urging to protect the 'indigenous' people of Manipur, which ended up in an unprecedented opposition from the highlanders. It was perceived as another move by the majority Meiteis to 'encroach' upon territory of the highlands which the Meiteis does not traditionally own, and are owned in a different manner by the highlanders, and delegitimising the citizenship of the highlanders. Till today nine dead bodies remain unburied in Churachandpur signifying the opposition and resistance. In midst of this turmoil, there has been another parallel move by few sections of Meiteis to schedule Meiteis as tribe under the Constitution of India spearheaded by Scheduled Tribe Demand Committee (STDC). The protagonists comprising of ex-servicemen, bureaucrats etc.

(To be Contd)

Contd. From yesterday Issue

Why Manipuri People Oppose Citizenship Amendment Bill?

Uti Posseditis Juris in the Context of India – Manipur Relations Revisited

International Humanitarian Law and the CAB

Due to the prevailing state of conflict between Government of India's armed forces and national liberation movements, rules of international humanitarian law also becomes applicable to Manipur. India being an occupying and administering state and also being a High Contracting State party to the Four Geneva Conventions of 12 August 1949 is under obligations not to transfer its own population to the occupied territory of Manipur. According to citizenship rights to Bangladeshis irrespective of religious categorisation and allowing them to reside and settle in any part of the [Indian] territory including Manipur under the proposed CAB amounts to population transfer from India to Manipur.

Article 3 of the UN Draft Declaration on Population Transfer and the Implantation of Settlers defines unlawful population transfer thus: "A practice or policy having the purpose or effect of moving persons into or out of an area, either within or across an international border, or within, into or out of an occupied territory without the free and informed consent of the transferred population and any receiving population". So far as CAB seeks to grant citizenship rights to Bangladeshis, thereby conferring them the fundamental right to reside and settle in any part of the territory of India including Manipur it amounts to encouraging population transfer from India to Manipur. Under this provision, even if the incoming or transferred population (Bangladeshi Indian citizens) consents to move into the Indian territory (Manipur), the receiving population (Manipuri people) have not expressed their consent to receive them.

Article 49 of the Fourth Geneva Convention relative to the Protection of Civilians in Times of War of 12 August 1949 provides: "The occupying Power (India) shall not deport or transfer parts of its own civilian population into the territory (Manipur) it

occupies". Protection of the civilians in times of conflict accorded under article 3 common to the Four Geneva Conventions seeks to protect the aboriginal indigenous cultural and linguistic integrity of the civilian population caught in the middle of a conflict. Without this fundamental basis, protection of mere human dignity stands to frustrate its intent and objectives. When such population transfer is pursued or committed with intent to destroy, in whole or in part, a national, ethnic, racial or religious group, the forced transfer partakes the form of genocide (article 6, 1948 Agreement for the Prosecution and Punishment of the Major War Criminals of the European Axis and Charter of the International Military Tribunal, Nuremberg). Indian State is trying to extinguish resistant politics in the region through cultural implantation after having failed political engagements. The Indian state cannot transfer or implant population in Manipur. Besides the operation of *uti posseditis juris* in favour of Manipur, population transfer or implantation is absolutely prohibited as a war crime under article 8 (2) (b) (viii) of the Rome Statute of the International Criminal Court, thus: "The transfer, directly or indirectly, by the Occupying Power (India) of parts of its own civilian population into the territory (Manipur) it occupies". Article 25 (1) & (2), Rome Statute reinforces the severity of this war crime with individual criminal responsibility – whoever incites whether directly or indirectly in the commission of the war crime of population movement or transfer in the occupied territory of Manipur can be prosecuted for individual criminal responsibility.

Manipuri Peoples' Collective Stand

The people of Manipur continue to maintain its stiff opposition against the policies of the Indian state which aims at decimating and annihilating Manipur's collective co-existence and her holistic integrity protected under *uti posseditis juris*. Civil society organisations of

Manipur like the United Naga Council, All Manipur United Clubs' Organisation, United Committee Manipur, Committee of Civil Societies, Kangleipak, Ethno Heritage Council, League of Indigenous People Upliftment and students' bodies such as All Manipur Muslim Students' Organisation, All Naga Students' Association, Manipur, All Meitei Pangal Students' Union, All Manipur Students' Union, Manipuri Students' Federation, Kangleipak Students' Association, Students' Union of Kangleipak, Apunba Irreipakki Maheirosing Singpanglup, Reformist Students' Front, Socialists Students' Union, and Manipur Students' Association, Delhi, and All Manipur High Court Bars' Association, etc. have registered strong notes of dissent and protest against the CAB and continue to threaten to launch intense stir in case it becomes a law. AMUCO, UCM, CCSK, HERICON, LIPUN, AMSU, MSF, DESAM, KSA, SAK, AMSU have boycotted the Republic Day of India in Manipur.

We also remind ourselves that a representative conglomeration comprising of the leaders of Kabui Mothers' Association, Zeliangrong Union, Janet Ulama, Manipur, Kuki Mothers Association, AMUCO, senior citizens, professionals and lawyers under the aegis of the UCM had in 2001 resolved to stand firm against the Government of India's policies to disintegrate Manipur in any manner.

At this juncture, certain relevant excerpts from historic resolutions adopted by Manipuri people's movements are reproduced. The rally carried out on 4th August, 1997 resolved that "The people of Manipur shall resist as one man, the sinister and diabolic designs which pose a tremendous threat to the territorial integrity of the state and ethnic harmony of the people". Further People's Declaration to Defend the Territorial Integrity of Manipur adopted on 26 June, 2001 resolved that "...any attempt and subsequent alteration to the existing [read socio-cultural and linguistic] boundary of Manipur

by the Government of India would necessarily initiate the process of the disintegration of the Republic of India constituted in 1950" (Resolution No. 4); "The people of Manipur reminds the Government of India that nothing can disintegrate [read integrity of] Manipur and the North-Eastern region or set people against people and it is now time for a new dawn for a peaceful, progressive and meaningful coexistence" (Resolution No. 7) and "The people of Manipur reaffirms that the Manipur People's uprising on 18 June 2001 stands as a living testimony to this common aspiration to the people to preserve the unity and territorial integrity of Manipur" (Resolution No. 8). The Manipur Legislative Assembly had in the past adopted similar resolutions on March 24, 1995; March 14, 1997; December 17, 1998; and March 22, 2001. Given these precedents, the present BJP led – Government of Manipur is under historical and political obligations to adopt a resolution on similar lines. It should wake up maturely to the clarion call of the people of Manipur.

The All Manipur People's Convention of 17 September 1965 in its Memorandum submitted to Union Minister for Home Affairs, Government of India stated "....Any such arrangement will be fraught with grave consequences. None would brook [read stand] the territorial dis-integration of this ancient State of Manipur. It is but natural that there should be stiff resistance to such a fantastic proposal" (Resolution No. II). It continue to state in Paragraph 16 that "Fears not at all unreasonable, baseless and ingenuine are expressed in this region that these people are on way to extinction and their fates will be sealed for good as their sister communities like the Kacharis and the Tripuris, in the absence of proper and adequate safeguards in the struggle for existence". (The writer is a PhD Scholar, Department of Law, North-Eastern Hill University, Shillong)

(Concluded)